

# **Exhibit "13"**

63. I believe that Kelly Brehm was again finding fault as a means of harassing me because of my national origin. Further, I sought EEO Counseling on March 2, 1998. It is possible that Kelly Brehm decided to increase his harassment at that point in retaliation for my having sought EEO counseling.

ISSUE 9: 3/17/98 – ASSIGNED TO SECONDARY FOR 3<sup>RD</sup> DAY

Q: What is the difference between primary and secondary? Why is primary preferable to secondary? Were others available to work secondary? What were the reasons, if any, given for the assignment? Has anyone else, to your knowledge, been assigned to secondary for three consecutive days? Have you been assigned to secondary for three consecutive days on more than one occasion?

64. Primary refers to the first contact that a representative of Immigration has on an arriving passenger. They can either make a decision to admit the passenger or send the passenger back to secondary. Secondary, as used in Senior unit terminology, is the place that an Alien is sent who is not readily admissible and who could be a possible Senior interest case opposed to an Alien who would be handled administratively by a non-Senior inspector.
65. Primary is not part of a Senior's job duties. Immigration Inspectors, GS-9 and below, work primary. Their duties are processing passengers as they get off the plane. A Senior only works on primary if there is a shortage of manpower such as when a lot of flights come in at the same time and there is a backlog. They call in all available manpower at the port. At this time, the amount of time a Senior would work on primary is 2-3 hours.
66. Eighty to ninety percent of a Senior Immigration Inspector's work originates from his assignment to Secondary. He is responsible for finishing all the cases that arise while he is assigned to Secondary.
67. Normally, a Senior Immigration Inspector at the Honolulu International Airport is assigned to Secondary once a week and sometimes twice through the normal rotation. Except for me, all of the Senior Immigration Inspectors stay on a normal rotation. I am the only Senior to be assigned to work secondary on three days in one workweek. If you're assigned Secondary a lot, you will be carrying the majority of the work load in the Senior unit.
68. March 17, 1998 was the only time that Kelly Brehm assigned me to work Secondary for three consecutive days, March 19-21. There was no reason for the assignment other than harassment. Any other Senior Immigration Inspector could have been assigned to one or two of the days I was asked to work Secondary.